

## North Lagoon Estates Subdivision – Final Plat

Staff Report: Andy Bauer  
Application #: ZA21-000083

Planning Commission Meeting Date: January 25, 2022  
Applicant: Hunter Smith      Property Location: 17000 block of State Highway 180 West

---

STAFF RECOMMENDATION:    APPROVE WITH CONDITIONS

---

### SUMMARY OF REQUEST

The applicant seeks Final Subdivision Plat approval to subdivide 5.65 acres into 15 single family lots. The property is zoned BN – Neighborhood Business.

### EXISTING CONDITIONS AND SURROUNDING CONTEXT

The property is located in the 17000 block of State Highway 180 West and is zoned BN- Neighborhood Business. The property is the former site of the Callaway Cottages which were destroyed by Hurricane Ivan. The surrounding zoning and land uses are as follows:

- North – BN (Neighborhood Business) Zoning & R-1-4 (Residential /Medium-Density Single Family) Zoning / Former Callaway Store & Single Family Houses
- South - Little Lagoon
- East - BN (Neighborhood Business) Zoning / Single Family Houses
- West – R-1-4 (Residential /Medium-Density Single Family) Zoning / Single Family Houses

### BACKGROUND

March 23, 2021. The Planning Commission granted Preliminary Subdivision Plat approval for North Lagoon Estates Subdivision. The subdivision was approved with seven (7) conditions.

June 14, 2021. The City Council approved a wetland waiver to allow the wetlands to be platted on the 15 individual lots.

### PROPOSED SUBDIVISION PLAN

The subdivision was classified as a Major Subdivision, because the subdivision required the installation of improvements. The preservation of the existing trees on the property is an important aspect of the plan. Specifics of the plan are as follows:

- Use - 15 single family house lots;
- All 15 lots are accessed from a private 40' wide access easement and gravel drive that has two points of ingress/egress onto State Highway 180 West;
- Lot Sizes - largest lot = 20,899sf, and the smallest lot = 13,522sf;
- Setbacks: Front-20ft, Rear-30ft, and Side Yards-10ft;
- Lot Widths – 50.59ft to 55.14ft;
- Density - 2.65 units per acre;
- Wetland area – 13,482sf;
- Wetland Buffer Area – 26,621sf.

### ANALYSIS

**Future Land Use Plan** – This area is designated as “Commercial / Mixed Use” on the City’s Future Land Use Map and is considered a neighborhood activity center. Gulf Shores intends to focus commercial uses, into concentrated, highly accessible activity centers and corridors served by its highest-capacity arterial roadways. Activity Centers are significant nodes or concentrations of people, activity and development, may be large scale or small scale but should be designed to meet the daily “convenience” goods and service needs of adjacent residential neighborhoods.

**Zoning** – BN Neighborhood Business District. This district is intended to provide a transitional

buffer between commercial or industrial activities and nearby residential neighborhoods. Non-residential uses are limited to those that can be compatible with the residential character of adjacent neighborhoods. The BN district allows single family houses by "Right". The minimum area and dimensional regulations are 50ft lot width, 6,000sf minimum lot size, maximum density 7.25 dwelling units per acre, 20ft front yard setback, 30ft rear yard setback, and 10ft side yard setbacks. The lots within North Lagoon Estates meet or exceed the area and dimensional regulations of the BN zoning district.

**Plan Review** – The subdivision is of good design and mimics the existing development pattern along this section of State Highway 180 West. The lineal lots run north to south from State Highway 180 West to the Little Lagoon and are of similar size and widths as the surrounding single family lots. All of the required improvements have been constructed.

Access – The City of Gulf Shores Major Street Plan classifies State Highway 180 as a minor arterial street and access must be carefully managed. The 15 lots are accessed by a 40' private driveway easement with only two connections to State Highway 180 West. The gravel drive was field located to save trees. The eastern connection is aligned with the intersection of Callaway Road and State Highway 180 West. The street name, Water Oaks Circle, has been approved by Baldwin County E-911 Addressing Department. The construction of the portion of the access road within the Alabama Department of Conservation & Natural Resources property has been approved and ALDOT has approved the connection to State Highway 180 West. The draft North Lagoon Estates Property Owners Association, Inc. documents include a provision for the maintenance of the private street by the levying of an assessment against the home owners.

Open Space – Not applicable, the subdivision contains 15 lots. Article 6-6, B. Open Space, of the Subdivision Regulations only requires open space for subdivisions that contain 25 lots or more.

Subdivision Drainage - The property naturally slopes to the Little Lagoon. The drainage plan takes advantage of this natural slope by providing small individual drainage swales on the south side of each lot. These small drainage swales will intercept and treat the first wash of drainage prior to it entering the wetlands and Little Lagoon. The drainage plans have been reviewed and approved by the Engineering Department.

Landscape & Tree Preservation - The property contains ±120 oak and pine trees, many of which are specimen size, the largest being a 60 inch oak tree. Approximately, 47 additional trees are located between the property and State Highway 180 West and many of these trees are also specimen oaks. The applicant has preserved all of the trees on the property.

Wetlands – There are 13,482 square feet of fringing marsh wetlands located along the Little Lagoon shoreline. The applicant obtained a wetland waiver from the City Council on June 14, 2021 to allow the wetlands to be platted on the 15 individual lots. The wetland waiver was approved with the following conditions:

1. Require a minimum 30ft wetland buffer made up of natural vegetation around the entirety of wetland.
2. Require the wetlands to be placed within a recorded conservation easement prior to final subdivision plat.
3. Illustrate and reference conservation easement areas on the subdivision plat and on the deed of each individual lot prior to final subdivision plat.
4. Provide signage on each lot notifying the future property owners of the protected nature of the wetlands. The signage should be placed at the 30ft wetland buffer line and installed prior to final subdivision plat.
5. The subdivision plat shall reference Section 7-581 Monitoring and Enforcement requirements of the Wetland Protection Regulations.

All of the conditions of the wetland waiver have been addressed.

City Engineering – The City Engineering Department has inspected and approved the construction at North Lagoon Estates Subdivision.

Fire Marshal – The Fire Marshal has approved North Lagoon Estates Subdivision.

**RECOMMENDATION** – Staff recommends approval of the Preliminary Subdivision Plat with the following conditions:

1. The wetlands shall be placed within a recorded conservation easement prior to recordation of the final subdivision plat.

**Attachments:** Plans, Draft Resolution

## North Lagoon Estates –Location Map



**RESOLUTION ZA21-000083  
NORTH LAGOON ESTATES  
FINAL SUBDIVISION PLAT**

THEREFORE BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON JANUARY 25, 2022 as follows:

By a vote of 7-7, the Gulf Shores Planning Commission approves North Lagoon Estates Final Subdivision Plat subject to the following conditions:

1. The wetlands shall be placed within a recorded conservation easement prior to recordation of the final subdivision plat.

This Resolution shall become effective upon its adoption.

ADOPTED this 25<sup>th</sup> day of January, 2022

\_\_\_\_\_  
Robert Steiskal, Jr.  
Chairman, Planning Commission

Attest:

\_\_\_\_\_  
Mell Davis, Secretary, Planning Commission